

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**ANTHONY JOHNSON,**

**Plaintiff,**

**-v-**

**OHIO DEPARTMENT OF JOBS AND  
AND FAMILY SERVICES,**

**Defendant.**

**Case No. C-3:12-cv-124**

**Judge Thomas M. Rose  
Magistrate Judge Michael R. Merz**

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**ENTRY AND ORDER OVERRULING JOHNSON’S OBJECTIONS (Doc. #4) TO THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATIONS; OVERRULING JOHNSON’S OBJECTIONS (Doc. #7) TO THE MAGISTRATE JUDGE’S SUPPLEMENTAL REPORT AND RECOMMENDATIONS; ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATIONS (Doc. #3) AND SUPPLEMENTAL REPORT AND RECOMMENDATIONS (Doc. #6) IN THEIR ENTIRETY; DISMISSING JOHNSON’S CLAIMS FOR MONEY DAMAGES AGAINST INDIVIDUAL JUDGES DENNIS LANGER AND MARY WISEMAN WITH PREJUDICE; DISMISSING JOHNSON’S REMAINING CLAIMS WITHOUT PREJUDICE FOR LACK OF SUBJECT MATTER JURISDICTION AND TERMINATING THIS CASE**

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Plaintiff Anthony Johnson (“Johnson”) brought this action pro se to recover unemployment benefits which were denied him by Defendant Ohio Department of Jobs and Family Services (“ODJFS”). In addition to various forms of damages, Johnson seeks to have Montgomery County Common Pleas Judges Mary Wiseman and Dennis Langer and Ohio Assistant Attorney General David Lefton disciplined.

Upon initial review of Johnson’s Complaint, Magistrate Judge Michael Merz determined that this Court does not have subject matter jurisdiction over Johnson’s Complaint for a variety of reasons more fully set forth in Magistrate Judge Merz’ Report and Recommendations. (Doc.

#3). Magistrate Judge Merz concluded that Johnson's Complaint should be dismissed with prejudice insofar as it seeks money damages from Judges Wiseman and Langer in their individual capacities and otherwise without prejudice for lack of subject matter jurisdiction.

Johnson objected to this Report and Recommendation and the Court referred the matter back to Magistrate Judge Merz. Magistrate Judge Merz then issued a Supplemental Report and Recommendations (doc. #6) which reached the same conclusion. Johnson then Objected to the Supplemental Report and Recommendations. (Doc. #7.)

As required by 28 U.S.C. §636(b) and Federal Rules of Civil Procedure Rule 72(b), the District Judge has made a de novo review of the record in this case. Upon said review, the Court finds that Johnson's Objections to the Magistrate Judge's Report and Recommendations and Johnson's Objections to the Magistrate Judge's Supplemental Report and Recommendations are not well-taken, and they are hereby OVERRULED. The Magistrate Judge's Report and Recommendations and Supplemental Report and Recommendations are adopted in their entirety.

Johnson's Complaint, to the extent that it is against Judges Langer and Wiseman, is dismissed with prejudice insofar as it seeks money damages from Judges Wiseman and Langer in their individual capacities. Johnson's Complaint is otherwise dismissed without prejudice for lack of subject matter jurisdiction. Finally, this case is hereby ordered terminated on the docket records of the United States District Court for the Southern District of Ohio. Western Division at Dayton.

**DONE** and **ORDERED** in Dayton, Ohio, this Twelfth Day of June, 2012.

**s/Thomas M. Rose**

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record

Anthony Johnson at his last address of record